

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**February 4, 2002**

- C032200      THE PEOPLE v. ZUBER      (Not for Publication)**  
The judgment is affirmed.  
                                 SCOTLAND, P.J.  
We concur:    Nicholson, J.  
                                 Raye, J.
- C033187      THE PEOPLE v. JACKSON      (Not for Publication)**  
The judgment is affirmed.  
                                 SCOTLAND, P.J.  
We concur:    Nicholson, J.  
                                 Callahan, J.
- C037427      THE PEOPLE v. WALTER      (Not for Publication)**  
The trial court's finding that defendant's conviction in 1994 for violating section 245, subdivision (a)(1) was for a serious felony within the meaning of the three strikes law is reversed. The convictions on counts 2 through 5 and the other special findings are affirmed. The sentence is vacated, and the matter is remanded to the trial court for further proceedings.  
                                 SCOTLAND, P.J.  
We concur:    Nicholson, J.  
                                 Callahan, J.
- C037988      THE PEOPLE v. WOOLSEY      (Not for Publication)**  
The judgment is affirmed.  
                                 BLEASE, J.  
We concur:    Scotland, P.J.  
                                 Nicholson, J.
- C038790      THE PEOPLE v. HAYNES      (Not for Publication)**  
The trial court is directed to prepare a correct abstract of judgment reflecting the \$200 sex offender fine, that the term of 8 years for count 2 is a full, consecutive term to the term of 16 years for count 1, that count 2 is a violation of section 288a, subdivision (c) (2), that the trial court ordered defendant to register as a sex offender, that the trial court reserved jurisdiction over the amount of victim restitution, and that the trial court ordered AIDS testing pursuant to section 1202.1. The trial court shall forward a certified copy of the corrected abstract to the Department of Corrections. The judgment is affirmed.  
                                 NICHOLSON, J.  
We concur:    Scotland, P.J.  
                                 Callahan, J.

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**The Minutes**

**February 4, 2002, continued**

**C035807      MORENO v. COUNTY OF SAN JOAQUIN et al.**

**(Not for Publication)**

The judgment and the order awarding attorney fees and costs are affirmed. The County is awarded its costs on appeal.

NICHOLSON, J.

We concur:    Davis, Acting P.J.  
                  Kolkey, J.

**C037383      FISCHER v. FAMILIES FOR CHILDREN, INC. et al.**

**(Not for Publication)**

The order is affirmed.

NICHOLSON, J.

We concur:    Scotland, P.J.  
                  Callahan, J.

**C036413      FOX v. FOX**

**(Not for Publication)**

THE COURT:

It is ordered that the opinion filed herein on January 11, 2002, be modified as follows:...This modification does not effect a change in the judgment.

Appellant's petition for rehearing is denied.

BY THE COURT:

Blease, Acting P.J.

Nicholson, J.

Raye, J.

**February 5, 2002**

**C036094      THE PEOPLE v. GILBERT**

**(Not for Publication)**

The judgment is affirmed in its entirety.

MORRISON, J.

We concur:    Blease, Acting P.J.  
                  Raye, J.

**C036694      THE PEOPLE v. COON**

**(Not for Publication)**

The convictions on counts I-IV are reversed. The stay of execution of sentence (Pen. Code, § 654) on count V is vacated. In all other respects the judgment is affirmed. The trial court is directed to prepare and forward to the Department of Corrections a new abstract of judgment.

MORRISON, J.

We concur:    Davis, Acting P.J.  
                  Raye, J.

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**The Minutes**

**February 5, 2002, continued**

- C036813      THE PEOPLE v. LOCKETT      (Not for Publication)**  
The judgment is affirmed.  
                                 MORRISON, J.  
We concur:      Scotland, P.J.  
                                 Nicholson, J.
- C037488      THE PEOPLE v. MAGALLANES      (Not for Publication)**  
The judgment is affirmed.  
                                 MORRISON, J.  
We concur:      Sims, Acting P.J.  
                                 Hull, J.
- C037698      THE PEOPLE v. JEFFERSON      (Not for Publication)**  
The matter is remanded to the superior court for a determination of the proper fines and fees to be imposed and to prepare and forward to the Department of Corrections an amended abstract of judgment reflecting this determination. In all other respects, the judgment is affirmed.  
                                 MORRISON, J.  
We concur:      Sims, Acting P.J.  
                                 Hull, J.
- C034239      RICHMOND et al. v. SHASTA COMMUNITY SERVICES DISTRICT      (Certified for Publication)**  
The judgment is reversed in part and the matter remanded to the trial court with directions to vacate its judgment and enter a new judgment consistent with the views expressed in this opinion. Each party shall bear its own costs on appeal.  
                                 HULL, J.  
We concur:      Raye, Acting P.J.  
                                 Callahan, J.
- C038365      In re ADAM H.; SAN JOAQUIN COUNTY HUMAN SERVICES AGENCY v. TRUELL H.      (Not for Publication)**  
The judgment is affirmed.  
                                 SCOTLAND, P.J.  
We concur:      Raye, J.  
                                 Morrison, J.
- C037790      MEDICAL BOARD OF CALIFORNIA v. THE SUPERIOR COURT OF SACRAMENTO COUNTY and McLEOD      (Not for Publication)**  
THE COURT:  
It is ordered that the opinion filed herein on January 7, 2002, be modified as follows:...Real party in interest's petition for rehearing is denied.  
                                 BLEASE, Acting P.J.  
We concur:      Raye, J.

**COURT OF APPEAL  
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**February 6, 2002**

- C037768      THE PEOPLE v. FRYE      (Not for Publication)**  
The judgment is affirmed.  
                                         SIMS, Acting P.J.  
We concur:      Davis, J.  
                                         Morrison, J.
- C037158      ANANDA CHURCH OF SELF-REALIZATION v. MASSACHUSETTS BAY  
INSURANCE COMPANY      (Certified for Publication)**  
The judgment is affirmed. (CERTIFIED FOR PUBLICATION.)  
                                         CALLAHAN, J.  
We concur:      Scotland, P.J.  
                                         Davis, J.
- C036213      In re J.Q. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND  
HUMAN SERVICES v. M.Q.**  
**C036654      In re M.M.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND  
HUMAN SERVICES v. M.Q. and R.Q.      (Not for Publication)**  
The juvenile court's order is affirmed.  
                                         RAYE, J.  
We concur:      Scotland, P.J.  
                                         Blease, J.
- C038449      In re J.Q. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND  
HUMAN SERVICES v. M.Q.      (Not for Publication)**  
The juvenile court's order is affirmed.  
                                         RAYE, J.  
We concur:      Scotland, P.J.  
                                         Blease, J.

**February 7, 2002**

- C037094      THE PEOPLE v. GOMEZ      (Not for Publication)**  
The judgment is affirmed.  
                                         BLEASE, J.  
We concur:      Scotland, P.J.  
                                         Nicholson, J.
- C025712      BARROWS et al. v. MARTIN      (Not for Publication)**  
The judgment is affirmed. Plaintiffs shall reimburse Martin for costs on appeal.  
(Cal. Rules of Court, rule 26(a).)  
                                         SCOTLAND, P.J.  
We concur:      Davis, J.  
                                         Morrison, J.

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**February 7, 2002, continued**

**C036889      HOME INSURANCE COMPANY v. ZURICH INSURANCE COMPANY et al.  
(Certified for Publication)**

The judgment is affirmed. **(CERTIFIED FOR PUBLICATION.)**

MORRISON, J.

We concur:   Blease, Acting P.J.  
                  Callahan, J.

**C038684      In re PEGGY M.; NEVADA COUNTY DEPARTMENT OF PUBLIC AND  
SOCIAL SERVICES v. CYNTHIA M.           (Not for Publication)**

The order terminating appellant's parental rights is affirmed.

BLEASE, Acting P.J.

We concur:   Hull, J.  
                  Robie, J.

**AMENDED**

**C039672      THE DEPARTMENT OF WATER RESOURCES v. BARKLEY et al.**

BY THE COURT:

Appellant's petition for rehearing is denied.

SCOTLAND, P.J.

**February 8, 2002**

**C037426      THE PEOPLE v. JUAREZ                           (Not for Publication)**

The judgment is affirmed.

BLEASE, Acting P.J.

We concur:   Morrison, J.  
                  Hull, J.

**C038516      THE PEOPLE v. LANCETTE                       (Not for Publication)**

The judgment is affirmed.

RAYE, J.

We concur:   Scotland, P.J.  
                  Blease, J.

**C039796      In re DAVID R. v. YUBA COUNTY SUPERIOR COURT and YUBA COUNTY  
HUMAN SERVICES AGENCY et al.           (Not for Publication)**

Let a peremptory writ of mandate issue, directing respondent juvenile court to vacate its orders terminating petitioner's reunification services and scheduling a section 366.26 hearing. The matter is remanded with directions to the juvenile court to order HSA to provide petitioner with an additional six months of reunification services.

SCOTLAND, P.J.

We concur:   Callahan, J.  
                  Robie, J.

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**The Minutes**

**February 8, 2002, continued**

- C040041      CLARKE et al. v. HOLDEN**  
BY THE COURT:  
Appellant's motion to reinstate the appeal is granted. The order of January 11, 2002, dismissing the appeal is vacated, and the appeal is reinstated...  
SCOTLAND, P.J.
- C040043      HOLDEN v. WENDORFF et al.**  
BY THE COURT:  
Appellant's motion to reinstate the appeal is granted. The order of January 11, 2002, dismissing the appeal is vacated, and the appeal is reinstated...  
SCOTLAND, P.J.